

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

KENNETH LOWE,)
)
Plaintiff,) Case No. 2:08-0073
)
v.) Judge Nixon
) Magistrate Judge Bryant
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)

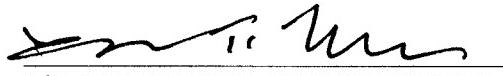
ORDER

Pending before the Court is Plaintiff Kenneth Lowe's Motion for Judgment on the Record ("Plaintiff's Motion") (Doc. No. 16) and Brief in Support (Doc. No. 17), to which Defendant Commissioner of Social Security filed a Motion for Judgment on the Administrative Record and Response ("Defendant's Motion") (Doc. No. 20) and Memorandum in Support (Doc. No. 21). Magistrate Judge Bryant issued a Report and Recommendation ("Report") (Doc. No. 22) recommending that Plaintiff's Motion be denied, Defendant's Motion be granted, and the decision of the Commissioner affirmed. The Report was filed on July 30, 2009, and no objections to the Report and Recommendation have been filed.

Upon review of the record in this case, the Court finds the Report to be well-founded and **ADOPTS** it in its entirety. Accordingly, the Court hereby **DENIES** Plaintiff's Motion, **GRANTS** Defendants Motion, and **AFFIRMS** the decision of the Commissioner.

It is so ORDERED.

Entered this 2nd day of September, 2009.


JOHN T. NIXON, SENIOR JUDGE
UNITED STATES DISTRICT COURT